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SUBJECT: Agreement Reached on Khartoum Constitution

¶1. SUMMARY: A Technical Committee (TC) formed by the Khartoum Legislative Assembly (KLA) and made up of representatives from the ruling National Congress Party (NCP), the Sudan People's Liberation Movement (SPLM), and the Democratic Unionist Party (DUP) has reached a compromise on the draft constitution of Khartoum State. This issue has been contested seriously by various political forces for the last three months in the Khartoum State Legislative Assembly. The agreement now defines Khartoum as an Islamic state, while recognizing its special status and the status of non-Muslims who live in the capital. End Summary.

Results of the Compromise

¶2. The new draft constitution acknowledged Khartoum State as both a northern Sudanese state and the national capital of the Republic of Sudan, as well as a symbol of national unity, where the country's diversity in creed, culture, ethnicity, and language shall be respected. Sharia law shall be implemented fully in Khartoum state, but the rights of non-Muslims will be protected through some form of special status. This draft constitution will now be sent to the KLA for endorsement and finally to the Federal Ministry of Justice for ratification and compatibility with the Comprehensive Peace Agreement (CPA) and Interim National Constitution of Sudan. If unresolved issues remain after that, the state constitution may be sent to the Council of States for final resolution.

¶3. Khartoum State has a unique status compared to other Sudanese States, as it is both the national capital of the Republic of Sudan and the capital of Khartoum State as one of 15 northern states. It has a population of about 7 million, including 4 million internally displaced persons (IDPs) and squatters, mainly from Southern Sudan, Southern Kordofan, and Western Sudan that were forced to immigrate to Khartoum because of war.

Formation of the Khartoum Government

¶4. In January 2006, the Governor of Khartoum State, Dr. Abdel Halim Ismail Al Motuwafi, established the Khartoum Legislative Assembly (KLA) in accordance with the Comprehensive Peace Agreement (CPA) sections on power sharing. The Assembly has 48 seats, with the National Congress Party (NCP) occupying 31 seats, the Sudan People's Liberation Movement (SPLM) 5 seats, and other northern political parties 9 seats. The speaker is from the NCP, and the deputy speaker is SPLM.

¶5. Khartoum State has not yet named its cabinet. The cabinet shall be composed of 8 ministers, in which 4 go

to the NCP, 2 to the SPLM, and 2 to other northern political forces in accordance with the CPA allocation and distribution of power sharing. The governorship goes to the NCP, with the deputy governor coming from the SPLM. However, power sharing at state localities is still to be worked out, as the Technical Committee could not reach a compromise on it.

STEINFELD